

REMARKS

Claims 1-25 are pending in this application. Claims 1, 11 and 25 are amended. Claims 6, 7 and 16 are cancelled. Claims 19-24 are withdrawn from consideration.

Claim 1 is amended to recite a method of tracking a user including “tracking movement of at least one user of the group **based on a tracking area registration update message** received from the user **that is enabled or disabled based on an indicator value** received in overhead by the user from a serving sector.” Independent claims 11, 17 and 25 recite features similar to the above-identified features of independent claim 1.

As described with respect to an example embodiment of the present invention in the Applicants’ specification at page 7, paragraph [0022] a “Tracking Area Update Enabled Indicator” (TAUEI) bit may be transmitted in the system overhead by each sector. For example, a network may disable tracking area updates by setting TAUEI to ‘0’ within the interior of a tracking area and enable tracking area updates in sectors on a boundary between two or more tracking areas by setting this bit to ‘1’. Further, a network may also use this bit to disable tracking area updates if it determines that the uplink is overloaded. Accordingly, the methods as recited in independent claims 1, 11, 17 and 25 may provide more efficient use of communication resources.

CLAIM REJECTION - 35 U.S.C. § 102

Claims 1, 2, 5, 6, 8, 9, 11, 12 and 17 stand rejected under 35 U.S.C. § 102(e) as anticipated by Lin et al. (U.S. Publication No. 2004/0203756, herein Lin).

Lin is directed to a multicast management mechanism for mobile networks that updates the location of a mobile station MS when it moves to a different location area LA.¹ As described on page 2, paragraph [0023] of Lin, a mobile station MS receives a location signal from a new mobile switching center MSC different from the mobile station's original mobile switching center MSC and in response sends a location update request message to the new mobile station switching center MSC.

However, Lin fails to disclose, teach or suggest a method of tracking a user based on a tracking area registration update message "**that is enabled or disabled based on an indicator value.**" Accordingly, Applicants respectfully submit that Lin at least fails to disclose the above-identified feature of independent claim 1 and the corresponding similar features of independent claims 11 and 17.

Therefore, Applicants respectfully request that the rejection of independent claim 1, 11 and 17 and claims 2, 5, 6, 8, 9, and 12 depending therefrom under 35 U.S.C. §102(e) be withdrawn.

CLAIM REJECTION - 35 U.S.C. § 103

Claims 3-4, 13-15 and 18 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Lin in view of Attar et al. (U.S. Publication No. 2004/0203979, herein Attar).

Attar is directed a method and apparatus for transmit power modulation in a wireless communication system that includes a transmitter, which receives an RF signal and produces at least two modulated signals based on the RF signal that may be used to receive channel quality indications from mobile units and schedule data transmissions to mobile units.

¹ Lin, page 1, paragraph [0017].

However, Applicants respectfully submit that Attar, similar to Lin, fails to disclose, teach or suggest a method of tracking a user based on a tracking area registration update message “**that is enabled or disabled based on an indicator value,**” as recited in amended independent claim 1 or the similar features of independent claims 11, 17 and 25. Claims 3-4, 13-15 and 18 depend from independent claims 1, 11 and 17, and thus are allowable for at least the same reasons as discussed above.

Therefore, Applicants respectfully request that the rejection of claims 3-4, 13-15 and 18 under 35 U.S.C. § 103(a) be withdrawn.

CLAIM REJECTION - 35 U.S.C. § 103

Claims 7, 10, 16 and 25 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Lin in view of Lueng et al. (U.S. Publication No. 2003/0087653, herein Lueng).

Lueng is directed to a method and apparatus for routing IP packets in a wireless communication system, wherein a broadcast or other point to multi-point service is provided intermittently. As described on page 1, paragraph [0009] of Lueng an intermittent broadcast is transmitted when a trigger is recognized to initiate service and is not transmitted when a termination trigger is recognized.

Initially, Applicants respectfully note that triggering (i.e. causing a transmission) is not the same as enabling or disabling a transmission. For example, a transmission may be enabled (i.e. able to be sent) without actually ever being sent or triggered.

Accordingly, Applicants respectfully submit that Lueng, similar to Lin, also fails to disclose, teach or suggest a registration update message “**that is enabled or disabled based on an indicator value.**”

Therefore, Applicants respectfully submit that Lueng fails to cure the deficiencies of Lin with respect to at least the above-identified feature of independent claim 1 and the similar features of independent claims 1, 11, 17 and 25.

Still further, Applicants respectfully submit that even if Lueng did cure the deficiencies of Lin with respect to the features of the independent claims, the Examiner has not provided the required “convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references,” *Ex parte Clapp*, 227 USPQ 972, 973 (Bd. Pat. App. & Inter. 1985).

On page 10, line 23 to page 11, line 2 of the Office Action mailed August 25, 2005 the Examiner states the following:

it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Lin et al to show that the tracking area registration update message is enabled or disabled based on an indicator value received in overhead by the user from a serving sector, as taught by Lueng et al, the motivation being identifying the users by a unique identifier which is included in the addressing information.

However, the Applicants are unclear as to how “identifying the users by a unique identifier” would improve or have any effect on the method of tracking users as described in Lin, much less motivate one of ordinary skill in the art to modify the method of tracking users described in Lin to include a trigger as described in Lueng.

In light of the above, Applicants respectfully request that the rejection of claims 7, 10, 16 and 25 under 35 U.S.C. §103(a) be withdrawn.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1-5, 8-15, 17-18 and 25 in connection

with the present application is earnestly solicited.

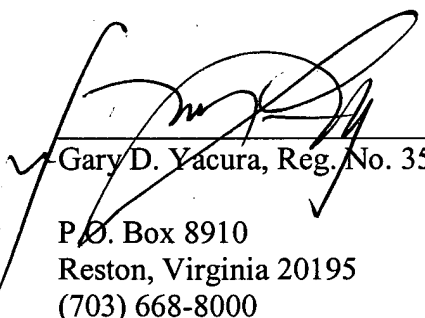
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Matthew J. Lattig at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKY, & PIERCE, P.L.C.

By

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